

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Michael B. Zemel

Appl. No. 10/017,568

Filed: December 14, 2001

For : MATERIALS AND METHODS FOR
THE TREATMENT OR PREVENTION
OF OBESITY

Confirmation No. 9941

Art Unit : 1616

Examiner: FISHER, Abigail

Atty. Docket No. 31894-192402

Customer No.

26694
PATENT TRADEMARK OFFICE

DR. MICHAEL B. ZEMEL DECLARATION UNDER 37 C.F.R § 1.132

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Michael B. Zemel, Ph.D., declare the following, based on my own knowledge, information, and belief:

1. That I am a co-inventor of subject matter described and claimed in the above-identified U.S. Patent Application.
2. Hang Shi and Paula Carney (formally Paul Zemel) are also inventors of the subject matter claimed in the above-identified U.S. Patent Application.
3. To my knowledge, Laura Flynn McCarthy, author of an article in the March/April 2000 edition of Remedy, is not an inventor of the claimed subject matter. To the extent the reference includes any claimed subject matter, such subject matter disclosed in this reference

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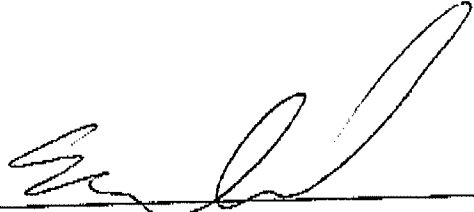
Docket No.: 31894-192402

Declaration of Dr. Michael B. Zemel under 37 C.F.R. § 1.132

was derived from, originated with, or was obtained from the inventors rather than the author of the reference.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 5 day of November, 2008



Michael B. Zemel, Ph.D.

DC2/994857